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असाधारण

EXTRAORDINARY

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PART II—Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिसमें कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 28th February, 1977/Phalguna 9, 1898 (Saka)

THE PONDICHERRY LAND REFORMS (FIXATION OF
CEILING ON LAND) AMENDMENT REGULATION, 1977

No. 3 OF 1977

Promulgated by the Vice-President acting as President in the
Twenty-eighth Year of the Republic of India.

A Regulation to amend the Pondicherry Land Reforms (Fixation
of Ceiling on Land) Act, 1973.

In exercise of the powers conferred by the second proviso to clause
(1) of article 240 of the Constitution, the Vice-President acting as
President is pleased to promulgate the following Regulation made by
him:—

1. (1) This Regulation may be called the Pondicherry Land Reforms
(Fixation of Ceiling on Land) Amendment Regulation, 1977

(2) It shall come into force at once.

Short
title
and
com-
mence-
ment

2. In section 7 of the Pondicherry Land Reforms (Fixation of Ceiling
on Land) Act, 1973 (hereinafter referred to as the principal Act), in
sub-section (1), the proviso to Explanation III shall be omitted.

Amend-
ment of
section 7
of Pondi-
cherry
Act 9 of
1974.

Amend-
ment of
section 8

3. In section 8 of the principal Act, in sub-section (2), clause (b) shall be omitted.

Amend-
ment of
section 9.

4. In section 9 of the principal Act,—

(a) in clause (a) of sub-section (1), the words, brackets and figures “and on the basis of the representation and evidence under the proviso to *Explanation* III to sub-section (1) of section 7” and the words, brackets, letter and figures “and the orders passed on the representation and the evidence, if any, under clause (b) of sub-section (2) of section 8” shall be omitted;

(b) in sub-section (5), for the word “thirty”, the word “fifteen” shall be substituted,

(c) in clause (a) of sub-section (6), for the word “thirty”, the word “fifteen” shall be substituted.

Amend-
ment of
section 21.

5. In section 21 of the principal Act,—

(a) in clause (b) of sub-section (1), for the word “ninety”, the word “thirty” shall be substituted;

(b) in sub-section (2), for the word “ninety”, the word “thirty” shall be substituted.

Amend-
ment of
section 24

6. In section 24 of the principal Act,—

(a) in sub-section (2), for the word “thirty”, the word “fifteen” shall be substituted;

(b) in sub-section (3), in sub-clause (u) of clause (a) (including the proviso thereto), for the word “thirty” in the two places where it occurs, the word “fifteen” shall be substituted.

Amend-
ment of
section 25

7. In section 25 of the principal Act, in clause (b) of sub-section (1), for the word “sixty”, the word “thirty” shall be substituted.

Amend-
ment of
section 31.

8. In section 31 of the principal Act, in sub-section (2), for the word “thirty”, the word “fifteen” shall be substituted.

Amend-
ment of
section 32

9. In section 32 of the principal Act, in the second proviso, for the words “three months”, the words “fifteen days” shall be substituted

Amend-
ment of
section 39.

10. In section 39 of the principal Act, in sub-section (1), for the word “ninety”, the word “thirty” shall be substituted.

Amend-
ment of
section 46.

11. In section 46 of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

‘(1) Any person aggrieved by any decision of the authorised officer under sub-section (1), or sub-section (2), of section 11 or sub-clause (iii) of clause (a) of sub-section (3) of section 15 or section 20 or section 22 or sub-section (4) of section 24 or sub-section (1), or sub-section (2), of section 25 or section 26 or clause (b) of sub-section (3) of section 31 or clause (b) of sub-section (2) of section 68, may, within thirty days from the date of such decision, prefer an appeal to the Land Tribunal in such manner as may be prescribed.

Explanation.—In this section and in section 47, “date of decision” means the date on which the decision is communicated to the party concerned.’

12. In section 47 of the principal Act, for the word "sixty", the word "thirty" shall be substituted.

Amend-
ment of
section 47

13. In section 52 of the principal Act, in sub-section (1), for the words "with fine which may extend to two hundred rupees", the words "with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both" shall be substituted

Amend-
ment of
section 52.

14. In section 53 of the principal Act, for the words "with fine which may extend to two hundred rupees", the words "with imprisonment of either description for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both" shall be substituted

Amend-
ment of
section 53.

15. In section 54 of the principal Act, for the words "with fine which may extend to one thousand rupees", the words "with imprisonment of either description for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both" shall be substituted.

Amend-
ment of
section 54

16. In section 55 of the principal Act, for the words "with fine not exceeding one thousand rupees", the words "with imprisonment of either description for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both" shall be substituted.

Amend-
ment of
section 55.

17. In section 56 of the principal Act, for the words "with fine not exceeding one thousand rupees", the words, "with imprisonment of either description for a term which may extend to two years, or with fine which may extend to two thousand rupees, or with both" shall be substituted.

Amend-
ment of
section 56.

18. In section 57 of the principal Act, for the words "with fine which may extend to five hundred rupees", the words, "with imprisonment of either description for a term which may extend to one year, or with fine which may extend to one thousand rupees, or with both" shall be substituted

Amend-
ment of
section 57

19. In section 68 of the principal Act, in sub-section (1), for the word "thirty", the word "fifteen" shall be substituted

Amend-
ment of
section 68

20. After section 72 of the principal Act, the following section shall be inserted, namely:—

Inser-
tion of
new section
72A.

'72A. Notwithstanding anything contained in any law for the time being in force, no party to any proceeding under this Act shall be entitled to be represented by a legal practitioner before the authorised officer:

Parties
not to be
represent-
ed by
legal prac-
titioners
before the
authoris-
ed officer.

Provided that the authorised officer may, in the interests of justice and for reasons to be recorded in writing, allow any such party to be represented by a legal practitioner at his own cost.

Explanation.—For the purposes of this section, "legal practitioner" has the same meaning as in clause (i) of sub-section (1) of section 2 of the Advocates Act, 1961'.

Savings

21. (1) Notwithstanding the amendment of sections 9, 21, 24, 25, 39 and 47 of the principal Act by this Regulation, where any objection or claim or return could have been preferred or furnished to the authorised officer, or where any appeal could have been preferred to the High Court against the decision of the Land Tribunal before the commencement of this Regulation but has not been so preferred or furnished before such commencement, such objection or claim or return or appeal may be preferred or furnished within the period specified in the relevant provision of the principal Act as if this Regulation had not been made.

(2) An appeal preferred against any order or decision of the authorised officer under clause (b) of sub-section (2) of section 8, or sub-section (3) or sub-section (4) or sub-section (6) of section 9, of the principal Act as it stood before the commencement of this Regulation and pending on the date of such commencement shall be heard and disposed of as if this Regulation had not been made.

B. D. JATTI,

Vice-President acting as President.

K. K. SUNDARAM,

Secy to the Govt. of India